

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Kevin D. Fisher,

Plaintiff,

7:07-CV-09239 (SCR)(GAY)

-v.-

MOTION TO REOPEN
CASE

Christopher Radko and Rauch Corp.

Defendants.

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NOW COMES PLAINTIFF Kevin D. Fisher, by his attorney Nancy Baum Delain, Esq. and prays this Honorable Court to re-open his case, which was erroneously closed on 6/4/2008. This case has been settled as to only one defendant, namely RAUCH; the matter is still active and should be pending against Defendant RADKO. Settlement negotiations are presently in progress with RADKO.

This case was closed in error based only on the settlement agreement that was reached with RAUCH. No adjudication has at this time been put in place as to Defendant RADKO.

WHEREFORE, Plaintiff prays that his case, which was closed in error by the Court, be reopened to allow proper adjudication of this matter for all parties.

Respectfully submitted,
DELAINE LAW OFFICE, PLLC



By: Nancy Baum Delain, Esq.
Attorney for PLAINTIFF
107 N. College St.
Schenectady, NY 12305
Ph: 518-371-4599
Fax: 518-874-5086
Email: nbdelain@ipattorneyfirm.com